



United States Department of State

Washington, D.C. 20520

12/1/82

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December 1, 1982

MEMORANDUM

TO: HA - Mr. Abrams
THRU: HA - Mr. Levitsky
FROM: HA/HR - Miss Tull

SUBJECT: Your luncheon on Thursday December 2, 1982 with the Argentine Ambassador, Lucio Alberto Garcia del Solar

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

() Release () Excise () Deny

Exemption(s):

Declassify: () In Part () In Full

() Classify as () Extend as () Downgrade to

Date Declassify on Reason

BACKGROUND

In recent months the Government of Argentina (GOA) has continued the improvements in human rights that began following the Falklands conflict. Nevertheless, while the general direction is definitely positive there have been some setbacks.

For example, in the area of freedom of the press the Argentine press has become less inhibited in its criticism of the Government than at any time since the early 1970's. The Government, however, has closed three magazines that were particularly critical of the military in an apparent effort to intimidate the press into less direct attacks on the armed forces. Moreover, the President's press office reportedly has sent a memo to the state-run media (all television stations and most radio stations) prohibiting them from broadcasting reports on "issues related to subversive acts" such as "subversive organizations" like the Mothers of the Plaza de Mayo and human rights groups.

The Argentine Government remains committed to elections and the restoration of constitutional government by March 1984. The political party statute is in effect and the parties have begun their reorganization. All have held large political rallies.

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The decision to vote in favor of the Argentine/Latin American resolution on the Falklands has apparently paid off in human rights cooperation from the Argentines. The Foreign Ministry in mid-November cooperated for the first time since the Falklands conflict by supplying to the Embassy an updated list of detainees. The Foreign Ministry official in charge of human rights questions also said that the Ministry would again accept formal US requests for information about individual human rights cases.

The Argentine Government has continued to release political prisoners (PEN). On November 23 the Government released into parole status 84 individuals and lifted restrictions on 43 others who had been in parole status. That same day Garcia del Solar told Ambassador Enders that the number of PEN prisoners is down to 400-600.

The major human rights development in recent weeks has been the "discovery" by human rights organizations of eight graveyards in Buenos Aires and other cities with an estimated 1500 unmarked graves, which the human rights organizations believe contain the remains of people killed secretly by security forces since the 1970's. These graves were initially discovered when the Ministry of the Interior advised the parents of one individual of the location of their son's body. Upon exhumation three other bodies were found in the same gravesite. Then other gravesites in the same cemetery and later in other cemeteries were found with all bodies listed anonymously as "N.N.".

The Undersecretary of the Interior, General Cerda, told the Embassy when the first gravesites were discovered that they contained the bodies of unidentified individuals who were buried in unmarked graves according to Argentine law and practice. Later when the bodies were identified via fingerprints the families were notified. He said that human rights activists have known of these bodies for some time and he predicted then that human rights organizations would suddenly discover the other cemeteries (as has happened).

International pressure continues for the Argentines to account for the disappearances of foreign nationals or of persons who may have had a claim to foreign nationality. Official requests have been received by the Argentines from the French, German, Italian, Spanish and Swedish embassies. Two Argentine officials have commented that they think the British have had a hand in this sudden interest.

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In two related developments in November the Argentine Supreme Court decided to investigate allegations that the court morgue illegally carried out autopsies, obtained death certificates and ordered the burial of persons killed by security forces in 1976. The Supreme Court has also ordered an investigation of a judge who allegedly condoned torture.

On November 17 the Army Chief of Staff, Major General Calvi, publicly accused human rights organizations of financing "statements and trips by the mothers of terrorists", an apparent reference to the Mothers of the Plaza de Mayo.

A major issue that will have to be addressed in some way during the period of transition to democratic government is the matter of the disappeared. The military in mid-November launched an effort to obtain an understanding ("concertacion") with the political party leaders not to punish the military for the disappearances and other abuses. Almost immediately, however, a multiparty group publicly rejected the "concertacion" thereby embarrassing the armed forces and creating anger and resentment within the military against the armed forces leadership for the inept manner in which the initiative was handled.

On the matter of certification Garcia del Solar focused on this issue in his meeting with Enders on November 23. He was particularly interested in the linkage with Chile. The Argentine Foreign Minister also raised certification in his bilateral last week with the Secretary. The Secretary responded that he would bear his comments very much in mind as we reviewed the situation to see if we could move along on this issue.

TALKING POINTS

-- I am pleased that the US was able to vote in favor of the resolution at the UN and the OAS on the Malvinas Islands (Falklands) and that relations between our two countries are definitely improving.

-- Our Embassy has informed us that the Foreign Ministry is again discussing human rights questions with us and that we have been able to inquire about specific cases where there is particular interest in the US. Here too we are very pleased.

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-- The past six months have encompassed a period of significant change in Argentina as the state of human rights has improved and Argentina has moved further along the path toward a restoration of democratic government. I know that you personally are a strong supporter of this process and must be encouraged by it. The principal shadow over the process appears to be that of resolving the question of the disappeared. What is your personal assessment of this matter and what do you see happening on this question between now and the 1984 elections?

-- What is your reaction to the failure of the "concertacion" effort by the military just a couple of weeks ago?

-- What will happen if the military and the civilian leaders are unable to reach an agreement on the matter of the disappeared prior to the elections?

-- I understand that there is more freedom of the press now in Argentina than there has been since the early 1970's. This is very encouraging. Yet I understand three magazines have been closed down apparently for their criticism of the military. Is this a temporary measure? (This point can be used to express Administration views on the importance of freedom of the press.)

-- Certification (This matter will almost certainly be raised by the Ambassador) *

-- This Administration supported repeal of the Humphrey-Kennedy Amendment last year and wants to normalize relations. The issue of certification is under review.

-- We recognize the importance of certification but it presents several complex issues. Our friends in Congress believe that submission in the December "lame duck" session would not help our case. Our presentation will be examined closely by the Congress. We must proceed carefully, step by step.

-- (Chile linkage/if raised) We would prefer to certify both countries together but it is too early to judge if that will be possible.

*These talking points were prepared for the Secretary's use last week.

Attachments:

1. Biographic Data (Confidential) - Lucio Alberto GARCIA
DEL SOLAR
2. Biographic Data (Unclassified) - Lucio Alberto GARCIA
DEL SOLAR
3. Buenos Aires 6732 of November 29, 1982 - Human Rights
Developments in Argentina
4. Buenos Aires 6599 of November 19, 1982 - Multiparty
Group Rejects "Concertacion"
5. Buenos Aires 6526 of November 16, 1982 - "Concertacion",
"Reconciliation" and Other Semantic Games
6. Buenos Aires 6508 of November 15, 1982 - Renewed Argentine
Cooperation on Human Rights
7. Buenos Aires 6387 of November 8, 1982 - More Controversy
About Disappearances
8. Buenos Aires 6340 of November 4, 1982 - Argentine Government
Shuts Down Two More Magazines
9. Buenos Aires 6275 of November 2, 1982 - Pen Prisoners and
The Disappeared
10. Buenos Aires 6152 of October 27, 1982 - Human Rights
Organizations Allege Existence of Cemeteries Containing
Bodies of Disappeareds
11. Buenos Aires 5763 of October 7, 1982 - Human Rights
March Occurs Peacefully Defying GOA Ban
12. Buenos Aires 5383 of September 16, 1982 - President Bigonne's
Performance and Prospects

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